DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H02-0488-21**	**Applicant:**	**Ms S Goldsmith**
Proposal:	Single storey side and rear extension		
Location:	9 Millfield Gardens Crowland Peterborough		
Terminal Date:	29th June 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019	
02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12 - Achieving well designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a single storey side extension and rear extension at 9 Millfield Gardens, Crowland.

The side extension would project from the north-western elevation by approx. 3.2m and be set back from the front elevation by approx. 2.6m. The rear extension will be adjoined to the side extension and project from the existing rear elevation by approx. 6.4m. The north-western elevation is to be staggered due to the shape of the plot. The extensions will be constructed from brick to match the

existing dwelling, with a flat felt/fibreglass roof. The proposal will provide a new bedroom, level access shower room and kitchen at ground floor and are accessibility adaptions required to meet the needs of a disabled person.

SITE DESCRIPTION

The site is situated within the settlement of Crowland according to the South East Lincolnshire Local Plan, 2019.

The property is a semi-detached dwelling situated at the north-eastern end of a cul-de-sac known as Millfield Gardens. The dwelling is set back from the road with a gravelled driveway to the front and side. There is side access to the rear garden, which is long and at an angle to the property. There is an existing flat roof extension to the rear.

The surrounding area is predominantly characterised as residential and dwellings are of a similar age and design, set on large plots.

RELEVANT PLANNING HISTORY

None.

REPRESENTATIONS

North Level Internal Drainage Board - No comments.

PLANNING CONSIDERATIONS

Layout, Design, Size and Scale

Paragraph 127 of the National Planning Policy Framework (NPPF), 2019 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations. Likewise, Policy 2 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

The aim of the proposed development is to adapt the property to meet the functional needs of a disabled person. The side extension would project from the north-western elevation by approx. 3.2m and be set back from the front elevation by approx. 2.6m. The rear extension will be adjoined to the side extension and project from the existing rear elevation by approx. 6.4m. The north-western elevation is to be staggered due to the shape of the plot. Having regard to the existing dimensions of the house and the plot it sits within, the proposed extension is acceptable in terms of scale, mass and bulk.

Flat roof side extensions are not usually preferred because of their unappealing appearance in conjunction with visibility from public vantage points. However, the side element of the extension would be set back from the footway by approx. 7m and would be screened by hedging and fencing from a north-westerly direction, and the host dwelling from the other direction. Views of the extension would therefore be fleeting to passers by.

In summary, the scale and height of the proposed extension is commensurate with the building and adjoining development. The extension would be constructed from bricks to match the existing house and would not materially impact visual amenity. The development would meet the functional needs of the house occupier. For these reasons, this application complies with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

Windows are to be sited on the front, rear and north-western side elevations of the extension. The window to the front will overlook playing fields directly opposite and it is approx. 40 metres from the closest elevation of a dwelling to the rear. There would therefore be no overlooking impact in either of these directions. The side windows would be to a shower room and kitchen - neither of which are

deemed habitable rooms for planning purposes - and therefore would not create a material overlooking aspect.

The proposed extension is single storey in nature, therefore it is not considered that there would be a material adverse impact in terms of overshadowing or the development being overbearing for the neighbouring property, given the orientation of the plots and distances between the houses. Accordingly, the development complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Taking the above into account, the proposal is considered to be in accordance with Policies 2 and 3 of the SELLP, 2019 and Section 12 of the NPPF, 2019 in terms of residential amenity.

Planning Balance

The proposal will not materially harm the character or appearance of the locality or amenity of nearby residents. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2019).

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

RECOMMENDATION

The application was referred to Chairman's Panel on 25 June 2021 when it was agreed the application be approved under delegated powers.